



<b>TRANSMITTAL FORM</b>  (To be used for all correspondence after initial filing)	Application Number	10/717,296
	Filing Date	November 19, 2003
	First Named Inventor	Davin C. Dillon
	Art Unit	
	Examiner Name	
Attorney Docket No.		210121.491C8

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual Name	Julie A. Urvater, Ph.D., Patent Agent	Customer Number <b>00500</b>
Signature		
Date	December 8, 2003	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Lawrence Teague	
Signature		Date: December 5, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.4. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
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December 8, 2003  
Date

Lawrence Teague  
Lawrence Teague

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Davin C. Dillon et al.  
Application No. : 10/717,296  
Filed : November 23, 2003  
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND  
DIAGNOSIS OF BREAST CANCER

Docket No. : 210121.491c8  
Date : December 8, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached forms PTO-1449. This application is a continuation-in-part and relies, under 35 U.S.C. § 120, on the earlier filing date of prior application U.S. Patent Application No. 10/010,742 filed November 30, 2001; which is a continuation-in-part of U.S. Patent Application No. 09/910,689, filed July 20, 2001, now abandoned; which is a continuation-in-part of U.S. Patent Application No. 09/778,320, filed February 6, 2001; which is a continuation-in-part of U.S. Patent Application No. 09/571,025, filed May 15, 2000, now abandoned; which is a continuation-in-part of U.S. Patent Application No. 09/545,068, filed April 7, 2000, now abandoned; which is a

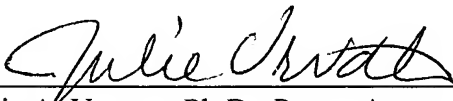
continuation-in-part of U.S. Patent Application No. 09/523,586, filed March 10, 2000 now abandoned; which is a continuation-in-part of U.S. Patent Application No. 09/510,662, filed February 22, 2000; which is a continuation-in-part of U.S. Patent Application No. 09/451,651, filed November 30, 1999, now Patent No. 6,489,101. The references listed on the attached forms PTO-1449 were submitted to and/or cited by the Office in these prior applications and, therefore, are not required to be provided in the present application. If the Examiner wishes, copies of the references will be provided upon request.

As to any reference previously supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

  
Julie A. Urvater, Ph.D., Patent Agent  
Registration No. 50, 461

JAU:ljt

Enclosures:

Postcard

Transmittal Form

Forms PTO-1449 (3 sheets)

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v438828



FORM PTO-1449 (REV.7-80)  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. <b>210121.491C8</b>	APPLICATION NO. <b>10/717,296</b>
	APPLICANTS <b>Davin C. Dillon et al.</b>			
	FILING DATE <b>November 19, 2003</b>		GROUP ART UNIT	

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,654,172	08/05/97	Li et al.	435	69.1	
	AB	2003/0022334	01/30/03	Glucksmann	435	189	
	AC	2003/0027988	02/06/03	Baker et al.	530	350	
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AJ	WO 96/06862	03/07/96	WIPO		
	AK	WO 97/25431	07/17/97	WIPO		
	AL	WO 99/00408	01/07/99	WIPO		
	AM	WO 99/14230	03/25/99	WIPO		
	AN	WO 99/25877	05/27/99	WIPO		

**OTHER PRIOR ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Burger et al., "Breast cancer genome anatomy: correlation of morphological changes in breast carcinomas with expression of the novel gene product Di12," <i>Oncogene</i> 16:327-333, 1998.
	AP	Diatchenko et al., "Suppression subtractive hybridization: A method for generating differentially regulated or tissue-specific cDNA probes and libraries," <i>Proc. Natl. Acad. Sci. USA</i> 93:6025-6030, June 1996.
	AQ	GenBank Database, Accession No. AAW92654, April 30, 1999.

EXAMINER	DATE CONSIDERED
* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant(s).	

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

210121.491C8

APPLICATION NO.

10/717,296

**INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

APPLICANTS

Davin C. Dillon et al.

FILING DATE

November 19, 2003

GROUP ART UNIT

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	BB	WO 99/33869	07/08/99	WIPO		
	BC	WO 99/37775	07/29/99	WIPO		
	BD	WO 00/12758	03/09/00	WIPO		
	BE	WO 00/36107	06/22/00	WIPO		
	BF	WO 01/51638	07/19/01	WIPO		
	BG	WO 01/51628	07/19/01	WIPO		

**OTHER PRIOR ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

	BH	GenBank Database, Accession No. AF100759, July 8, 1999.
	BI	GenBank Database, Accession No. AJ131016, February 4, 2000.
	BJ	GenBank Database, Accession No. AL135960, February 3, 2000.
	BK	GenBank Database, Accession No. AL356793, November 29, 2001.
	BL	Genseq Database (Thomason Derwent), Accession No. AAL08649, December 7, 2001.
	BM	Genseq Database (Thomason Derwent), Accession No. AAL18673, December 7, 2001.
	BN	Genseq Database (Thomason Derwent), Accession No. AAL23934, December 7, 2001.

EXAMINER

DATE CONSIDERED

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(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

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(Use several sheets if necessary)

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GROUP ART UNIT

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CA						

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
CB					

**OTHER PRIOR ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

CC	Genseq Database (Thomason Derwent), Accession No. AAL24582, December 7, 2001.
CD	Hara et al., "Characterization of cell phenotype by a novel cDNA library subtraction system: expression of CD8 $\alpha$ in a mast cell-derived interleukin-4-dependent cell line," <i>Blood</i> 84(1):189-199, July 1, 1994.
CE	Hedblom and Kirkness, "A novel class of GABA <sub>A</sub> receptor subunit in tissues of the reproductive system," <i>The Journal of Biological Chemistry</i> 272(24):15346-15350, June 13, 1997.
CF	Lee et al., "Positive selection of candidate tumor-suppressor genes by subtractive hybridization," <i>Proc. Natl. Acad. Sci. USA</i> 88:2825-2829, April 1991.
CG	Porter-Jordan and Lippman, "Overview of the biologic markers of breast cancer," <i>Breast Cancer</i> 8(1):73-100, February 1994.
CH	Schlom et al., "Strategies for the development of recombinant vaccines for the immunotherapy of breast cancer," <i>Breast Cancer Research and Treatment</i> 38(1):27-39, 1996.
CI	
CJ	
CK	
CL	

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).